

MEETING #25– May 12

At a Regular Meeting of the Madison County Board of Supervisors on May 12, 2015 at 4:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: Doris G. Lackey, Chairman
R. Clay Jackson, Vice-Chairman
Jonathon Weakley, Member
Robert Campbell, Member
Kevin McGhee, Member
William Tidball Interim County Administrator
V. R. Shackelford, III, County Attorney
Leo Tayamen, Finance Director
Jacqueline S. Frye, Deputy Clerk

Agenda Items:

Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum/Adopt Agenda:

Chairman Lackey advised of the following recommended additions to the Agenda: Item 8-e (Blue Ridge Heritage Foundation); Item 6-a-viii (Supplemental Requests – Fund 10- PRA – FY2015 April).

Supervisor Campbell questioned the purpose of today's closed session and suggested this discussion be held in open session as a result of an email that was submitted to the Board.

The County Attorney noted that based on his actions as the Board's legal counsel and the fact the matter will involve contract negotiations, this is considered a proper matter for discussion in closed session only – any action undertaken by the Board will need to be completed in open session.

Supervisor Jackson moved the Board approve the Agenda as amended, seconded by Supervisor Weakley. *Ayes: Lackey, Jackson, Weakley, McGhee. Nays: Campbell (due to the closed session).*

2. Constitutional Officers: None

3. County Departments: None

4. Independent Committees/Organizations: None

5. Committee Reports:

a. Resolution [Walton Thompson]

Steve Grayson of the Madison County Volunteer Rescue Squad was present at the request of the Board of Supervisors to assist in recognizing Mr. Walton Thompson for his generous contributions made to Madison County and the surrounding localities.

Mr. Thompson was present and expressed appreciation of today's recognition and his thankfulness for so many blessings he has received.

6. Finance:

i. General Operations (Fund 10) General Fund FY2015 – March

Supervisor Jackson moved the Board approve the Certificate of Claims (Fund 10) General Operations for March FY2015 in the amount of \$853,710.09, seconded by Supervisor McGhee. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

ii. Certificate of Claims (Fund 11) Tourism Enhancement FY2015 – March

Supervisor McGhee moved the Board approve the Certificate of Claims (Fund 11) Tourism Enhancement for March FY2015 in the amount of \$838.00, seconded by Supervisor Jackson. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

iii. Certificate of Claims (Fund 40) Debt Service FY2015 – March (None)

Supervisor Campbell moved the Board approve the Certificate of Claims (Fund 40) Debt Service for March FY2015 with a 'zero' balance, seconded by Supervisor Jackson. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

iv. Capital Improvement Projects (Fund 30) – CIP FY2015 March

Supervisor Jackson moved the Board approve the claims (Fund 30) for the Capital Improvement Project totaling \$8,051.00, seconded by Supervisor Weakley. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

v. Supplementals FY2015 – April

Sheriff's Department

Sheriff 31200-8103/180301 ICAC Grant Reimbursement \$6,000.00

Supervisor Jackson moved the Board approve the supplemental for FY2015 – April for the Sheriff's Department totaling \$6,000.00 (ICAC Grant Reimbursement, seconded by Supervisor Weakley. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

v. Supplemental Requests – General Operations FY2015 - Ending February 28, 2015 (PRA)

1. PRA	71200-5702; 161202	PRA Youth Programs	Baseball	\$8,558.06
2. PRA	71200-5706; 161206	PRA Youth Programs	Hockey	\$ 147.57
3. PRA	71200-5707; 161207	PRA Youth Programs	Soccer	\$ 200.00
4. PRA	71200-5708; 161208	PRA Youth Programs	Softball	\$2,243.67
5. PRA	71200-5727; 161227	PRA Youth Programs	Jazz	\$ 200.00
6. PRA	71200-5729; 161237	PRA Youth Programs	Volleyball	\$ 200.00
7. PRA	71200-5730; 161230	PRA Youth Programs	Tae Kwon Do	\$ 520.00
8. PRA	71200-5731; 161231	PRA Youth Programs	Tour de Madison	\$ 60.00
9. PRA	71200-5732; 161232	PRA Youth Programs	Tournaments	\$ 480.00
10. PRA	71202-5740; 161240	PRA Youth Programs	Other Programs	\$ 100.00
11. PRA	71203-5750; 161250	PRA Youth Programs	Signs	\$ 225.00
TOTAL SUPPLEMENTS:				\$12,934.30

Supervisor Campbell verbalized concerns regarding supplements for the PRA, with the main focus being on the balance for some of the sports programs noted (i.e. soccer), in correlation to the Treasurer's monthly balance report.

The Finance Director was present and provided input on how supplemental requests are handled each month (i.e. approval/posting). It was further noted the dates involved are different which also affects the daily balance in the program areas.

Supervisor Jackson moved the Board approve Supplemental Requests (PRA) for FY2015 April, totaling \$12,934.30, seconded by Supervisor Weakley. *Ayes: Lackey, Jackson, Weakley, McGhee. Nays: Campbell.*

7. Minutes

a. #14 through #21

Supervisor Jackson moved the Board approve Minutes #14 through #21 as presented, seconded by Supervisor McGhee. *Ayes: Lackey, Jackson, Weakley, McGhee. Nays: Campbell.*

8. Discussions/Actions

a. Dominion Power/First Energy (proposed power line)

The County Attorney provided the Board with copies of the relevant statutes in regards to the County's authority on the proposed power line as are relevant to the County's comprehensive plan; three (3) particular statutes deal with:

- Corridors
- Having public utility facilities being in substantial compliance with the comprehensive plan (i.e. a memorandum was provided to show the steps followed during the upgrade of the Pratt's sub-station in the past [re-zoning, SUP, finding that upgrades were in substantial compliance with the comprehensive plan])
- Planning Commission has the authority to request reasonable information (from a public utility with regard to transmission lines and facilities)

The County Attorney noted that if a submission is made, he and the Zoning Administrator will recommend the Board follow the same procedure (for the sub-station) as were followed in the past. To date, no application has been made, but there has been representation that this portion will be handled by First Energy (and REC). In closing, it was noted that if submission is made, he and the Zoning Administrator will recommend the Board follow the same procedures as required in the past. In closing, it was noted that no further information has been received since the last presentation by the former County Administrator.

Chairman Lackey noted that recent communications with a representative from Virginia Tech, has revealed there have been several cases that Dominion Power is involved in within the Commonwealth. Reference was made to the County's comprehensive plan concerning utility matters that warrant concerns pertaining to the proposed power line. Also, during a recent meeting, it was suggested that Dominion Power hold off on submitting their application to the State Corporation Commission, but no response was provided on this matter. Further suggestions:

Schedule a meeting of the Board and Commission Chairs, the County Attorney, County Administrator and Zoning Administrator be held in order to draft a letter to relay a request for further information and/or justification on the County's behalf (based on statutes)

Assess whether Dominion Power should be required to honor the guidelines noted in the comprehensive plan (as presented by the County Attorney)

Supervisor Jackson requested the SCC attend a public hearing based on today's concerns before the application is submitted.

The County Attorney urged the County to include all requests into one letter and solicit suggestions and specific information from the public on this matter as well. In closing, he noted that page 90 Section "Public Utilities" does relay objectives/strategies as noted:

- *Objective 1: To prevent disruption of land use activities by utility transmission and distribution building and facilities.*
- *Objective 2: To minimize the intrusion of utility facilities and equipment on the scenic qualities of Madison County.*

The County Attorney noted these sentiments have been expressed by parties involved. It was further noted the comprehensive plan contains no guidelines regarding utility corridors, nor is it known how extensively this matter was discussed during the last revision of the plan. It's felt that establishing a utility corridor would be difficult for Madison, since much of the residences here are along the transportation route and will present a significant impact.

Further comments:

- Supervisor Campbell: Suggested a town hall meeting be established to attain citizen input.
- Lloyd Williams, Commission: Referenced requirements in C-1 zones by right and those requiring a SUP.

After discussion, it was the consensus of the Board to continue today's meeting until Wednesday, May 13, 2015 at 7:00 p.m. in the Madison County firehouse to discuss the proposed power line request presented by Dominion Power/First Energy.

9. The Good of the Order – None.

- Supervisor Campbell: Noted that Robert's Rules of Order notes that a recess can't be called when a member has the floor.
- The County Attorney referenced the guidelines noted in Robert's Rules of Order regarding calling a recess when someone has the floor; however, when someone is deemed by the Chair to be 'out of order', the Chair has the authority to make a ruling on the matter.

10. Information/Correspondence:

i. June 9, 2015 – Adopt & Appropriate FY2016 Budget

School Board Meeting

Supervisor Jackson provided highlights from last evening's school board meeting (i.e. staff dedications, student/teacher/community award presentations).

Administration Building

The Interim Administrator noted that the RFP has been completed on the proposed renovations to the auditorium and will be advertised for bids; once pricing has been received, this information will be presented to the Board for review and/or action.

Auction Event (Pete's Auction Services)

Supervisor Campbell noted that a recent event was hosted by Pete's Auction Services that raised funds for the Virginia Autism Institute and the Wounded Warrior Project; he commented the extraordinary citizens living in Madison County.

Bridge Dedication (Mr. Yowell)

Supervisor Weakley advised of the bridge dedication to Mr. Yowell.

Carlton Yowell was present and noted the event will be held on Saturday, May 23, 2015 at 12:00 p.m. at the Bridge – the dedication event will last about seven to eight minutes. It was further noted that Mr. Jim Robinson will be in charge of the event.

After discussion, it was suggested that VDOT be contacted to provide recommendations regarding traffic control and/or signage for the event.

CSA

Supervisor Weakley advised the CSA Act will be renamed to "Children Services Act" effective July 1st; a new software program (Polycom Systems, Inc.) will be put into place and is in compliance with HIPPA guidelines. Ms. Ward, DSS Director, will discuss the matter with Brian Duncan of the RRSCB to attain input on pricing, and provide input to the Board at an upcoming workshop session.

Piedmont Workforce Network

The County Attorney advised that he reviewed the Piedmont Workforce Network agreement that refers to state policy finalized on April 16, 2015 and will be in effect on July 1, 2015. It was further questioned whether the PWN is ready to move forward with the process, and if not, the agreement could be approved subject to his review of the policies; the agreement does indicate there will be some funding involved, but failed to indicate if a contribution will be required from the County.

Chairman Lackey advised PWN representatives are in the process of attaining signatures. A meeting is scheduled for May 20th, of which she will be unable to attend and questioned if another Board members could attend instead, although the scheduled meeting is being held for a different purpose.

11. Closed Session –Personnel §2.2-3711(A)(1)

a. Closed Session:

On motion of Supervisor Jackson, seconded by Supervisor McGhee, the Board moved to convene in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(1) pertaining to interviews of candidates for employment or appointment of a Madison County Administrator, with the following recorded: *Ayes: Lackey, Jackson, Weakley, McGhee. Nays: (0). Abstain: Campbell.*

b. Motion to Reconvene In Open Session:

On motion of Supervisor Jackson, seconded by Supervisor Weakley, the Board reconvened in open session, with the following vote recorded: *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

c. Motion to Certify Compliance:

On motion of Supervisor Jackson, seconded by Supervisor Weakley, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code 2.2-3711(A)(1), and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, with the following vote recorded: *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

***Action as a result of closed session:**

Chairman Lackey advised that pursuant to Virginia Code Sections 2.2-3712(B) and 15.2-1417, the Madison County Board of Supervisors will hold special closed meetings of May 14th, and 15th, 2015 at 2:15 p.m. for the sole purpose of interviewing candidates for the position of Madison County Administrator.

Notice of the scheduled meetings was hand-delivered by the Interim Administrator

12. Public Comment: Will be held as close to 6:00 p.m. as possible.

Chairman Lackey opened the floor for public comment.

The following citizens provided public comment:

- Bill Walthall [Wilderness Road]: Verbalized support of the adoption of “In God We Trust.”
- Dan Jenkins [Haywood]: Verbalized support of the adoption of “In God We Trust”; concerns regarding parking issue at the Old ABC Building and the power line issue.

In regards to the parking concern at the Old ABC Building, the Board noted there were security issues relayed by the current tenant of the building (i.e. Blue Ridge Task Force); the issue has now been resolved.

- Mike Mosko [John Tucker Road]: Concerns regarding power line that will run through his property, and what the County ‘can do’ on this matter.
- James Alexander: Concerns about the power line issue; requested that citizen signatures be attained to request an amendment to the County’s comprehensive plan to encourage collaboration rather than confrontation; suggested this matter be added to a future agenda for discussion; offered to provide legal expertise/guidelines on this matter.
- Steve Murphy [Locust Dale]: Concerns regarding the power line issue; referenced Section 106 of the historic preservation right and federal statutes regarding historical/architectural sites and federal statutes, and recommended these facts be researched.

In regards to the request to discuss the comprehensive plan, the Board noted there will be discussion about the comprehensive plan at some point.

- Bill Sanford [Locust Dale]: Concerns regarding the power line that will greatly impact his property; advised of an upcoming meeting scheduled at the Rapidan Fire Hall on Thursday, May 14th at 6:00 p.m. to discuss the power line issue.
- Diane Fincher [Culpeper County]: Advised that based on what Culpeper has been advised, the filing of the application will be done at the end of spring (May 2015) rather than in June 2015 as originally thought.
- Reuben Woodward [Wolfstown]: Concerns regarding poor sound system (in the auditorium); amount of taxes on his vehicle and the lack of taxing for ‘Farm Use’ vehicles; feels that taxes will be raise; urged wise spending practices.
- Eleanor Montgomery [Malvern]: Suggested renovations to the auditorium not be initiated.

- Bill Harvill [Wolftown]: Noted his membership on the PRA Board; noted accomplishments by the PRA to date without the use of taxpayer dollars; funding requests asked of the County are spent wisely.

With no further public comments being brought forth, Chairman Lackey closed the public comment opportunity.

Chairman Lackey called for a recess until 7:00 p.m.

Chairman Lackey reconvened the meeting at 7:00 p.m.

7:00 p.m.

12. Public Hearing

a. VDOT Six Year Road Plan for Madison County:

Greg Banks of VDOT was present to provide input on the proposed Six Year Road Plan for Madison County. Information provided focused:

- Projected funding allocations
- Funding formulas
- Funding sources (i.e. CTB, Telefee, etc.)
- Specific projects denoted in the plan
- Type of improvements to be made

Current projects noted for Madison County include:

- ✓ *Twyman's Mill Road (Route 614)*
- ✓ *Shifflett's Corner Lane (Route 662)*
- ✓ *Yager Mountain Road (Route 695)*
- ✓ *Booton's Lane (Route 697)*
- ✓ *Fletcher Road (Route 675)*
- ✓ *Forrest Drive (Route 671)*

Concerns from the Board focused on:

- Rural Rustic Program
- Requested changes (to the proposed project list) (i.e. deletion of Yager Mountain Road)
- Shifting of funding (to other projects) (i.e. utilize funding for Yager Mountain Road toward other projects listed)
- Traffic Count for Fletcher Road

Mr. Banks referred to the priority list and advised the Board could provide a priority list (of roads); he also noted the County has about ninety plus (90+) miles of gravel roadways in place.

Additional specifics were provided on:

- The current condition of Yager Mountain Road (i.e. sharp curve) and the proposed improvements
- Guidelines for the use of rural rustic program funding (i.e. exemptions)
- Substantial costs involved with road widening

Additional concerns from the Board focused on:

- Whether residents could donate ten feet (10') of right-of-way on both sides of a road
- Can funding be used for safety, alignment and/or cross section issues
- Updated crash data for Yager Mountain Road

Mr. Banks noted that current study data (for Yager Mountain Road) isn't up-to-date, with the exception of tight curves that are in place.

i. Public Comment

Chairman Lackey opened the floor for public comment:

The following citizens provided comments:

- Robert Legge [Etlan]: Questioned the funding allocation for Forrest Drive.
- Reuben Woodward [Wolftown]: Questioned if Trinity Lane [Route 661] could be added to the existing plan; advised the road needs to be tarred/graveled, but not paved.
- Clay Jackson [Yager Mountain Road]: Suggested Yager Mountain Road be removed from the proposed plan and allocate the associated funding to the remaining projects – feels renovations to the proposed road would a bad use of funding.

Mr. Banks noted that funding involves future allocations over a number of years; he also referenced how funding is allocated based on availability/need. Although adding projects isn't usually encouraged, he noted the Board of Supervisors has the option to assess whether to delete roads from the proposed plan. He further stated that VDOT generally offers advice to the County concerning which roads to include in the plan based on:

- Traffic volume
- Accident rates

In the past, the current projects were added due to be heavily traveled gravel road; updated traffic counts on all roads is noted in the road plan. It has been noted that traffic rate has increased over time on the roads studied within the past year. In closing, it was advised that should Yager Mountain Road be removed, the existing priority list will remain and funding will trickle down for use on Booton's Lane and Fletcher Road and so forth.

Additional concerns noted by the Board include:

- Carpenter's Mill Road
- Fair Grounds Road (soft shoulders near Elementary Acres Subdivision)
- Guardrail replacement

Further comments:

- Supervisor Campbell: Advised that during a recent meeting of the Transportation Committee, it was suggested the citizens provide roadways concerns to the Committee since the State now manages how funding is allocated.
- Supervisor Jackson: Advised of concerns noted by the Town regarding the storm water along Main Street down to Waverly Yowell Elementary School.
- Robert Legge: Questioning the various funding types involved

Mr. Banks noted there is a highway safety improvement fund which is distributed throughout each district. He also noted that maintenance is assessed before any other roadway issues.

With no further comments being brought forth, Chairman Lackey closed the public comment opportunity for tonight's public hearing.

Supervisor Weakley moved that the Board approve Resolution #2015-6(a), to include the omission of Yager Mountain Road from the Six Year Road Improvement Plan, seconded by Supervisor McGhee. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

14. Adjournment:

With no further action being required, on motion of Supervisor McGhee, seconded by Supervisor Campbell, Chairman Lackey adjourned tonight's meeting.

Supervisor McGhee rescinded his motion to adjourn, seconded by Supervisor Campbell. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

Supervisor Jackson moved the Board continue tonight's meeting to Wednesday, May 13, 2015 at 7:00 p.m. in the Madison County Firehouse, seconded by Supervisor Campbell. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

Doris G. Lackey, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors
Adopted on: June 9, 2015
Copies: Doris G. Lackey, R. Clay Jackson, Jonathon Weakley, Robert Campbell, Kevin McGhee,
V. R. Shackelford, III, Constitutional Officers

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Regular Meeting Agenda
Madison County Board of Supervisors
Tuesday, May 12, 2015 at 4:00 p.m.
County Administration Building, Auditorium
414 Main Street, Madison, Virginia 22727



Agenda Items

Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum / Adopt agenda

2. Constitutional Officers

3. County Departments

4. Independent Committees / Organizations

5. Committee Reports

a. Resolution [Walton Thompson]

6. Finance

- i. Claims General Operations (Fund 10) General Fund FY2015 – March*
- ii. Certificate of Claims (Fund 11) – Tourism Enhancement FY2015 – March*
- iii. Certificate of Claims (Fund 40) – Debt Service FY2015 – March*
- iv. Certificate of Claims (Fund 30) Capital Improvements FY2015 March*
- v. Supplements – FY2015 March*

7. Minutes:

a. #14 through #21

8. Discussion/Action:

a. Dominion Power/First Energy (proposed power line)

9. Good of the Order

10. Information/Correspondence

a. June 9, 2015, Adopt and Appropriate FY 2016 budget

11. Closed Session (if necessary)

12. Public Comment: Will be held as close to 6:00 p.m. as possible

7:00 p.m.

13. Public Hearing:

- a. VDOT Six Year Road Plan for Madison County*
- a. Public Comment*

14. Continued Meeting on..... Wednesday, May 13, 2015 at 7:00 p.m. in the Madison County Firehouse....

ADDITIONS NOTED IN ROYAL BLUE WITH YELLOW HIGHLIGHT